

REGIONAL ADMINISTRATOR'S BRIEFING – External

*This document is used to brief the RA/DRA on meetings with external stakeholders. Please be sure to include any key messages - including controversial topics - talking points or other messages that you feel the RA/DRA should share with attendees. Submit the completed form to R10-ORA@EPA.GOV no later than **3** business days in advance of your briefing*

[Please note if contents are deliberative, confidential or FOIA-exempt]

Subject: Region 10 Tribal Operations Committee Quarterly Meeting

Date of this event: September 9-11, 2015

Location of the event: Downtown Seattle Crowne Plaza Hotel

Duration: 2.5 days

Press POC: N/A

R10 POC: JR Herbst, Herbst.John@epa.gov or 3-2116

Meeting Overview: The RTOC will hold an in-person meeting at the Seattle Crowne Plaza Hotel (Yellowstone Room) on September 9-11, 2015. The purpose of this RA and DRA Pre-Briefing (8/25 from 2-2:45 pm) is to conduct an internal review of the draft agenda that has been developed for this RTOC meeting. In addition, a call has been scheduled between the RTOC Co-Chairs (8/25 from 3:45-4:30 pm) to formally discuss and approve the RTOC meeting agenda.

Attendees Names and titles:

RTOC RA and DRA Pre-Briefing (Internal)

8/25/15 from 2-2:45 pm

- RA
- DRA
- Jim Woods
- David Allnutt
- Linda Anderson-Carnahan
- Sally Thomas
- JR Herbst

RTOC Co-Chair Call (External)

8/25/15 from 3:45-4:30 pm

- RA (RTOC EPA Co-Chair)
- Billy Maines (RTOC Tribal Co-Chair)
- DRA
- Jim Woods
- David Allnutt
- Linda Anderson-Carnahan
- Sally Thomas
- JR Herbst

RTOC Meeting (External)

9/9-11/15

- Tribal Operations Committee Primaries
- EPA Executives and Staff
- RTOC Support Staff

Key Issues:

Agenda Topic on 9/9/15 at 1 pm: DRA Led Discussion on EPA Alternate Representation on the RTOC

Agenda Topic on 9/10/15 at 2:15 pm: Regional and National TOC Updates to the RA

Background:

The RTOC meets in-person up to four times/year. On months without an in-person meeting, the RTOC holds a conference call, usually on the third Thursday of the month.

Controversial Issues:

We are currently awaiting tribal issue papers from TOC members, identifying the issues they plan to raise with the RA. In the interim, we expect the following controversial issues to be raised by TOC members:

- Deb Lekanoff will likely raise concerns that the 20 NW Treaty Tribes were not brought in early on the development of the draft Guidance for Discussing Tribal Treaty Rights, given their important role in highlighting treaty rights nationally. She will press for a face-to-face consultation with EPA (Nishida, McLerran, Woods, Shenkman and Chase) and the 20 Treaty Tribes and NWIFC in Seattle.
- Alaska TOC members are likely to raise concerns that EPA's draft Guidance for Discussing Tribal Treaty Rights doesn't specifically consider the rights of non-treaty tribes and native villages.
- Billy Maines will likely continue to raise concerns about AIEO's decision not to revise the GAP Guidance to provide more flexibility, particularly regarding the ineligibility of waste management implementation activities after FY17.

Elizabeth Sanchey and other TOC members may request funding for tribal emergency (spill or natural disaster/fire) preparedness and response.

- Idaho tribes will likely raise concerns with the use of their fish consumption rate data by IDEQ in setting proposed water quality standards (treaty rights and inclusion of anadromous/market fish).
- Washington tribes will be concerned with the uncertainty around State water quality standard development given that the Governor has withdrawn the proposed rule.

All of the tribes will likely cite climate change impacts and needed action.

Gabe Bohnee will likely continue to raise concerns about cuts in Nez Perce CAA §105 funding.

Lee Juan Tyler will continue to raise concerns about the FMC clean up and impact on the ShoBan Tribe.

Attachments:

Draft RTOC Agenda – Sept 2015 (V.6).docx

R10-TOC Membership List (August 2015).pdf

Final RTOC Charter – March 2015 (Amend. 5).pdf